

THE STATE OF NEW HAMPSHIRE  
SUPREME COURT

No. 2023-0181

Katherine Albrecht  
v.  
Dana Albrecht

**Ex Parte Motion for Clarification re: Justice Marconi**

NOW COMES Dana Albrecht, *Appellant-Defendant Pro Se*, and respectfully requests this Court for clarification concerning what is meant by “a court spokesman said [Justice Marconi’s] recusal decisions are being done on a rolling basis” according to an [article](#) published online by Nancy West in [InDepthNH.org](#) on May 9, 2024. In further support thereof, it is stated:

1. On November 15, 2023, the Attorney General’s office intervened in this matter in the trial court, when Ms. Catherine Denny, Esq. (NH Bar #275344) appeared on behalf of Circuit Court Administrative Judge David King and NHJB General Counsel Erin Creegan during the trial court motion(s) hearing.<sup>1</sup>
2. On April 26, 2024, seeking to learn more about why Justice Marconi’s husband was placed on paid administrative leave, Mr. Albrecht sent a “Right to Know” request to the Attorney General’s office.<sup>2</sup>

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<sup>1</sup> See transcript of November 15, 2023 *Motion(s) Hearing*, docketed by this Court on April 24, 2024. Unfortunately, this transcript, produced by eScribers, is of very poor quality.

<sup>2</sup> A copy of Mr. Albrecht’s request accompanies this pleading.

3. On May 9, 2024, [InDepthNH.org](https://indepthnh.org) published an [article](#) stating that “a court spokesman said [Justice Marconi’s] recusal decisions are being done on a rolling basis.”<sup>3</sup>
4. Still seeking to learn more, on June 20, 2024, Mr. Albrecht sent another “Right to Know” request to the Attorney General’s office.<sup>4</sup>
5. Mr. Albrecht has not yet received any response to his most recent request to the Attorney General’s office.

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<sup>3</sup> West, Nancy. (May 9, 2024). *Supreme Court Justice recuses self from AG cases due to husband’s paid leave*. [InDepthNH](https://indepthnh.org). Available at: <https://indepthnh.org/2024/05/09/3917574/> A copy of the article also accompanies this pleading.

<sup>4</sup> A copy of Mr. Albrecht’s second request accompanies this pleading.

WHEREFORE, Mr. Albrecht respectfully requests for this Court:

- A) To clarify what is meant by Justice Marconi's "recusal decisions are being done on a rolling basis" consistent with ¶¶1-5, *supra*; and,
- B) For any other such relief as is just and equitable.

Respectfully submitted,



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DANA ALBRECHT

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June 22, 2024

### CERTIFICATE OF SERVICE

I, Dana Albrecht, certify that this *Motion* is being filed *ex parte* pursuant to N.H. Sup. Ct. Supp. R. 3(h), for the reasons stated in Defendant's Ex Parte Motion for Instruction (filed June 21, 2024) and Defendant's Ex Parte Motion to Exclude Katherine Albrecht from Service (filed June 21, 2024), and that a copy has not been served on any other party.



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DANA ALBRECHT

June 22, 2024